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PATENT  
Attorney Docket. No.: 01017/36524A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Boylan et.al.

Serial No: 09/909,474

Filed: July 19, 2001

Title: Novel Serine Threonine Kinase  
Member, h2520-59

Group Art Unit: 1633

Examiner: To be determined

) I hereby certify that this paper is being  
) deposited with the United States Postal  
) Service as first class mail, postage prepaid  
) in an envelope addressed to the  
) Commissioner for Patents, Washington  
) D.C., 20231.

March 11, 2002

) *Thomas A. Cawley, Jr.*  
) Thomas A. Cawley, Jr., Ph.D.  
) Registration No. 40,944  
) Attorney for Applicants

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**RESPONSE TO "NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT  
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE  
AND/OR AMINO ACID SEQUENCE DISCLOSURES"**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is in response to the "Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence And/or Amino Acid Sequence Disclosures" dated February 19, 2002 (copy enclosed herewith). Accompanied herewith is a replacement computer-readable copy of the Sequence Listing as filed in the "Preliminary Amendment" dated November 19, 2001, as well as a "Statement Pursuant to 37 C.F.R. §§1.825(a) and (b)."

## II. REMARKS

In response to the communication referred to above, the applicants have replaced the damaged diskette containing the Sequence Listing of record with a replacement diskette. For the convenience of the examiner, an additional paper copy of the Sequence Listing is also submitted herewith (which is an exact duplicate of the paper copy of the Sequence Listing

provided to the Patent Office on November 19, 2001). Accompanying the paper and computer-readable copies of the Sequence Listing is a "Statement Pursuant to 37 C.F.R. §§1.825(a) and (b). In view of the foregoing, the applicants submit that no new matter has been added via the submission of the replacement diskette for the Sequence Listing of record.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN  
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By:



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March 11, 2002



## UNITED STATES PATENT AND TRADEMARK OFFICE

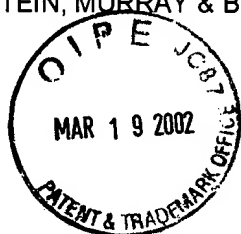
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www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/909,474	07/19/2001	John F. Boylan	01017/36524A

CONFIRMATION NO. 7250

04743

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FORMALITIES LETTER



\*OC000000007490419\*

Date Mailed: 02/19/2002

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

Docketed: 4-19-02

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d). Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

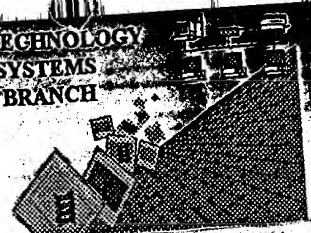
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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BIOTECHNOLOGY  
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**CRF Problem Report** TECH CENTER 1600/2900

The Scientific and Technical Information Center (STIC) experienced a problem when processing the following computer readable form (CRF):

Application Serial Number: 09/909,474A  
Filing Date: 2/19/2001  
Date Processed by STIC: 1/12/2002

STIC Contact: Mark Spencer, 703-308-4212

**Nature of Problem:**

The CRF (was):

- ☒ (circle one) ☐ Damaged or Unreadable (for Unreadable, see attached)  
☐ Blank (no files on CRF) (see attached)  
☐ Empty file (filename present, but no bytes in file) (see attached)  
☐ Virus-infected. Virus name: \_\_\_\_\_ The STIC will not process the CRF.  
☐ Not saved in ASCII text  
☐ Sequence Listing was embedded in the file. According to Sequence Rules, submitted file should only be the Sequence Listing.  
☐ Did not contain a Sequence Listing. (see attached sample)  
☐ Other: \_\_\_\_\_

**PLEASE USE THE CHECKER VERSION 3.1 PROGRAM TO REDUCE ERRORS.  
SEE BELOW FOR ADDRESS:**

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail. Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom, including:

1. EFS-Bio (<http://www.uspto.gov/ebc/efs/downloads/documents.htm>), EFS Submission User Manual - ePAVE)
2. U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Hand Carry directly to:  
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7<sup>th</sup> Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202  
Or  
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service, or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202